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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Marchand et al. Application No.: 10/800,784 Filed: March 15, 2004 Title: REMOVAL OF ALCOHOLS AND WATER FROM A METHYLCYCLOPENTADIENE RECYCLE STREAM IN A PROCESS FOR SYNTHESIS OF METHYLCYCLOPENTADIENYL MANGANESE TRICARBONYL Attorney Docket No.: NM 7625	Confirmation No. 9196 Art Unit: 1723 Examiner: Joseph W. Drodge
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RESPONSE AFTER FINAL ACTION

Commissioner of Patents
Mail Stop Amendments
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant submits this Response to the final Office Action mailed December 7, 2006. Applicant respectfully requests a favorable advisory action.

Applicant believes that the Examiner is accidentally making a rejection in this application based on a basic misunderstanding of the cited Spainhour reference. The Examiner states in the Office Action that Spainhour discloses a method of extracting water and alcohol from a mixture with a cyclopentadiene such as methylcyclopentadiene. Without this fundamental assumption, applicant submits that the Office Action becomes unsupported.

Applicant submits that the simple error in the Office Action is that Spainhour is limited to the use of water and alcohol to wash a polymer. Nowhere does Spainhour disclose the use of water or alcohol to wash a mixture comprising methylcyclopentadiene, water and alcohol. The Examiner's attention is drawn to the sentence at col. 1, lines 46-48 -- "The cyclic non-conjugated polyenes which can be treated with SO₂ to form polymers according to the inventive process are represented by the formulas:". These formulas are subsequently followed, as stated in the patent, by "Specific examples of compounds of the above general formulas are: ...di(methylcyclopentadiene)... ." (col. 2, lines 59-60 and col. 3, line 14). In other words, the methylcyclopentadiene that is referenced in Spainhour and that is cited by the Examiner is merely an example of a compound that is treated with sulfur dioxide to form a polymer. Never is the methylcyclopentadiene ever washed. Only polymers that are formed from monomers may alternatively include methylcyclopentadiene are washed.

The foregoing distinction is reinforced in Examples I and II in the Spainhour reference. For instance, with respect to Example I, the Examiner refers to the term "washing" at line 57 of col. 4. However, the complete sentence reads "after washing the polymer". Therefore, nowhere are the component materials washed. Instead, it is only the resulting polymer that is washed. Turning to Example II, and specifically to lines 60 and 61 of col. 5, it is "the solid polymer" that was washed with water and methanol. Nowhere are any of the specific ingredients or components that went into the polymerization reaction ever washed. Therefore, whatever the polymer that is created

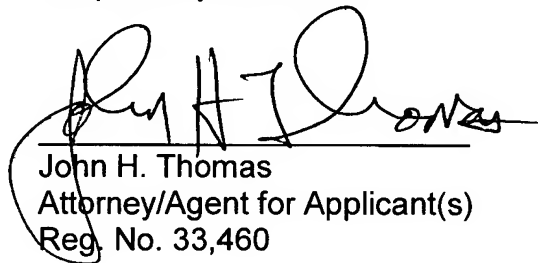
in Spainhour, it is that polymer that is washed. Nowhere is any raw material washed. Therefore, nowhere is any mixture comprising methylcyclopentadiene, water and alcohol washed.

For at least the foregoing reasons, applicant submits that the rejection by the Examiner on the basis of the Spainhour reference is traversed. Favorable action is requested hereon.

The Commissioner is hereby authorized to charge any deficiencies in payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2127.

Respectfully Submitted,

Date: February 6, 2007


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the appropriate address at the U.S. Patent and Trademark Office required under 37 CFR §1.1(a) on February 6, 2007.

By: 

John H. Thomas